

P30562.A02



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tetsuo NAGANO et al. Group Art Unit: Unassigned

Appln. No. : 10/598,250 Examiner: Unassigned
(U.S. National Stage entry of PCT/JP2005/002753)

I.A. Filed : February 22, 2005 Confirmation No.: 1730

For : FLUORESCENT PROBE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. §§ 1.97-1.98, Applicants hereby direct the Examiner's attention to the following information, which includes documents cited in the International Preliminary Report on Patentability and Written Opinion, and the International Search Report for International Application No. PCT/JP2005/002753 (in English), of which the above-referenced application is a National Stage:

- (1) D. GALLAHER et al., "Development of Near-Infrared Fluorophoric Labels for the Determination of Fatty Acids Separated by Capillary Electrophoresis with Diode Laser Induced Fluorescence Detection", Analyst, Vol. 124, No. 11, pp. 1541-1546 (1999);
- (2) JP 11-505533 A, May 21, 1999;
- (3) CA 2,218,815 A1, May 8, 1996; Applicants note that this document is an English language family member of document (2);

- (4) M. LIPOWSKA et al., "New Near-Infrared Cyanine Dyes for Labeling of Proteins", Synthetic Communications, Vol. 23, No. 21, pp. 3087-3094 (1993);
- (5) JP 7-150056 A, June 13, 1995;
- (6) U.S. Patent No. 5,440,042 (FABRICIUS et al.), August 8, 1995; Applicants note that this document is a family member of document (5);
- (7) JP 7-3177 A, January 6, 1995;
- (8) U.S. Patent No. 5,445,672 (CLOSS et al.), August 29, 1995; Applicants note that this document is a family member of document (7);
- (9) J. FLANAGAN Jr. et al., "Functionalized Tricarbocyanine Dyes as Near-Infrared Fluorescent Probes for Biomolecules", Bioconjugate Chemistry, Vol. 8, No. 5, pp. 751-756 (1997);
- (10) S. MILTSOV et al., "Boron Trifluoride-Methanol Complex-Mild and Powerful Reagent for Deprotection of Labile Acetylated Amines", Tetrahedron Letters, Vol. 44, No. 11, pp. 2301-2303 (2003);
- (11) JP 2004-190000 A, July 8, 2004;
- (12) U.S. Patent Application Publication 2006/0128961 A1 (TIMPE et al.), June 15, 2006; Applicants note that this document is a U.S. family member of document (11);
- (13) JP 10-226688 A, August 25, 1998;
- (14) U.S. Patent No. 5,874,590 (NAGANO et al.), issued February 23, 1999; Applicants note that this document is a family member of document (13);
- (15) WO 99/01447 A1, January 14, 1999;
- (16) U.S. Patent No. 6,201,134 B1 (NAGANO et al.), March 13, 2001; Applicants note that this document is a family member of document (15);

(17) JP 2003-277385 A, October 2, 2003, accompanied by an English language abstract thereof;

(18) JP 2000-321262 A, November 24, 2000, accompanied by an English language abstract thereof;

(19) JP 2000-239272 A, September 5, 2000, accompanied by an English language abstract thereof;

(20) WO 01/62755 A1, August 30, 2001; Applicants note that this document is cited in the specification of the present application, beginning at page 2, paragraph [0003]; and

(21) U.S. Patent Application Publication No. 2003/0162298 A1 (NAGANO et al.), issued August 28, 2003; Applicants note that this document is a family member of document (20).

Applicants further direct the Examiner's attention to the following document cited and discussed in the present application:

(22) JP 3-200024 A, September 2, 1991, accompanied by an English language abstract thereof; Applicants note that this document is cited and discussed in the present application, beginning at page 2, paragraph [0003];

Furthermore, Applicants direct the attention of the Examiner to the following commonly assigned and co-pending U.S. Patent Applications:

(23) U.S. Patent Application Publication 2004/0235902 A1 (NAGANO et al.), November 25, 2004;

(24) U.S. Patent Application Publication 2006/0030054 A1 (NAGANO et al.), February 9, 2006;

(25) U.S. Patent Application Publication 2006/0275912 A1 (NAGANO et al.), December 7, 2006; and

(26) U.S. Patent Application No. 10/570,355 (NAGANO et al.), filed March 3, 2006 and entitled, "Fluorescent Probe".

Copies of the above-listed documents (with the exception of U.S. Patents and U.S. Patent Applications), the International Preliminary Report on Patentability, and the International Search Report for International Application No. PCT/JP2005/002753 are enclosed together with a completed copy of the PTO-1449 Form listing these documents. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the next communication.

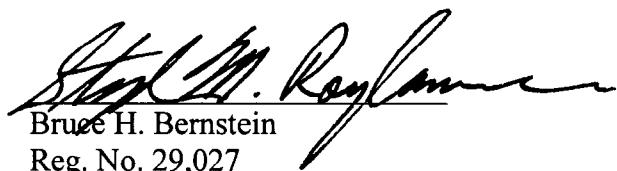
Further to 37 C.F.R. §1.98 (a)(2)(ii) and to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(iii) if a U.S. patent application was filed after June 30, 2003, copies of the U.S. patents and U.S. patent applications cited above are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

P30562.A02

If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Tetsuo NAGANO et al.



Bruce H. Bernstein
Reg. No. 29,027

June 15, 2007
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Stephen M. Roylance
Reg. No. 31,296

FORM PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. P30562	Application No. 10/598,250
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Applicant Tetsuo NAGANO et al.	
				Filing Date February 22, 2005	Group Unknown
U.S. PATENT DOCUMENTS					

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DAG/	5 4 4 0 0 4 2	08/08/95	FABRICIUS et al.			
/DAG/	5 4 4 5 6 7 2	08/29/95	CLOSS et al.			
/DAG/	2006/ 0 1 2 8 9 6 1	06/15/06	TIMPE et al.			
/DAG/	5 8 7 4 5 9 0	02/23/99	NAGANO et al.			
/DAG/	6 2 0 1 1 3 4	03/13/01	NAGANO et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
/DAG/ 11	- 5 0 5 5 3 3	05/21/99	JAPAN			
/DAG/	2 1 2 8 8 1 5	05/08/96	CANADA			
/DAG/ 7	- 1 5 0 0 5 6	06/13/95	JAPAN			
/DAG/	7 - 3 1 7 7	01/06/95	JAPAN			
/DAG/ 2004	- 1 9 0 0 0 0	07/08/04	JAPAN			
/DAG/ 10	- 2 2 6 6 8 8	08/25/98	JAPAN			
/DAG/ 99	/ 0 1 4 4 7	01/14/99	W.I.P.O			
/DAG/ 2003	- 2 7 7 3 8 5	10/02/03	JAPAN			
/DAG/ 2000	- 3 2 1 2 6 2	11/24/00	JAPAN			
/DAG/ 2000	- 2 3 9 2 7 2	09/05/00	JAPAN			
/DAG/ 01	/ 6 2 7 5 5	08/30/01	W.I.P.O			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

/DAG/ 1	D. GALLAHER et al., "Development of Near-Infrared Fluorophoric Labels for the Determination of Fatty Acids Separated by Capillary Electrophoresis with Diode Laser Induced Fluorescence Detection", Analyst, Vol. 124, No. 11, pp. 1541-1546 (1999).
/DAG/ 2	M. LIPOWSKA et al., "New Near-Infrared Cyanine Dyes for Labeling of Proteins", Synthetic Communications, Vol. 23, No. 21, pp. 3087-3094 (1993).
/DAG/ 3	J. FLANAGAN Jr. et al., "Functionalized Tricarbocyanine Dyes as Near-Infrared Fluorescent Probes for Biomolecules", Bioconjugate Chemistry, Vol. 8, No. 5, pp. 751-756 (1997).
/DAG/ 4	S. MILTSOV et al., "Boron Trifluoride-Methanol Complex-Mild and Powerful Reagent for Deprotection of Labile Acetylated Amines", Tetrahedron Letters, Vol. 44, No. 11, pp. 2301-2303 (2003).
/DAG/ 5	English Language abstract of JP 2003-277385.
/DAG/ 6	English Language abstract of JP 2000-321262.
/DAG/ 7	English Language abstract of JP 2000-239272.

EXAMINER	/Dwan Gerido/	DATE CONSIDERED	04/14/2010
----------	---------------	-----------------	------------

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.